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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 WILLIAM MCKINNEY,

10 Plaintiff,

11 vs.

12 ROMEO ARANAS, et al.,

13 Defendants.  
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Case No. 2:12-cv-00401-KJD-GWF

**ORDER**

15 Plaintiff, who is in the custody of the Nevada Department of Corrections, has submitted an  
16 amended civil rights complaint pursuant to 42 U.S.C. § 1983 (#7) and an amended application to  
17 proceed in forma pauperis (#3). Based on the financial information provided, the court finds that  
18 plaintiff is unable to prepay the full filing fee in this matter. Therefore,

19 IT IS THEREFORE ORDERED that:

- 20 1. Plaintiff's original application to proceed in forma pauperis (#1) is **DENIED** as  
21 moot.
- 22 2. Plaintiff's amended application to proceed in forma pauperis (#3) is **GRANTED**;  
23 however, plaintiff must pay an initial partial filing fee of \$67.87 toward the full filing  
24 fee of three hundred fifty dollars (\$350.00). Plaintiff shall have thirty (30) days from  
25 the date this order is entered in which to have the designated fee sent to the clerk of  
26 the court. Failure to do so will result in dismissal of this action. If this action is  
27 dismissed, the full filing fee must still be paid pursuant to 28 U.S.C. § 1915(b)(2).  
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- 1           3.     The movant herein is permitted to maintain this action to conclusion without the  
2                 necessity of prepayment of any additional fees or costs or the giving of security  
3                 therefor. This order granting leave to proceed in forma pauperis shall not extend to  
4                 the issuance of subpoenas at government expense.
- 5           4.     The clerk of the court shall send plaintiff two copies of this order. Plaintiff is  
6                 ordered to make the necessary arrangements to have one copy of this order attached  
7                 to the check in the amount of the designated fee, by sending a copy of the order with  
8                 the “brass slip” for the amount of the fee to inmate services for the Nevada  
9                 Department of Corrections.
- 10          5.     Pursuant to 28 U.S.C. § 1915(b)(2), the Nevada Department of Corrections shall pay  
11                 to the clerk of the United States District Court, District of Nevada, 20% of the  
12                 preceding month’s deposits to plaintiff’s account (inmate #13355), in the months that  
13                 the account exceeds \$10.00, until the full \$350.00 filing fee has been paid for this  
14                 action. The clerk of the court shall send a copy of this order to the finance division  
15                 of the clerk’s office. The clerk shall also send a copy of this order to the attention of  
16                 the Chief of Inmate Services for the Nevada Department of Corrections, P.O. Box  
17                 7011, Carson City, NV 89702.
- 18          6.     The clerk shall electronically serve a copy of this order, a copy of the court’s  
19                 screening order (#8) and a copy of plaintiff’s amended complaint (#7) on the Office  
20                 of the Attorney General of the State of Nevada, attention Kat Howe.
- 21          7.     Subject to the findings of the screening order (#8), within **twenty-one (21) days** of  
22                 the date of entry of this order, the Attorney General’s Office shall file a notice  
23                 advising the court and plaintiff of: (a) the names of the defendants for whom it  
24                 accepts service; (b) the names of the defendants for whom it does not accept service,  
25                 and (c) the names of the defendants for whom it is filing last-known-address  
26                 information under seal. As to any of the named defendants for which the Attorney  
27                 General’s Office cannot accept service, the Office shall file, under seal, the last  
28                 known address(es) of those defendant(s) for whom it has such information.

- 1 8. If service cannot be accepted for any of the named defendant(s), plaintiff shall file a  
2 motion identifying the unserved defendant(s), requesting issuance of a summons, and  
3 specifying a full name and address for the defendant(s). For the defendant(s) as to  
4 which the Attorney General has not provided last-known-address information,  
5 plaintiff shall provide the full name and address for the defendant(s).
- 6 9. If the Attorney General accepts service of process for any named defendant(s), such  
7 defendant(s) shall file and serve an answer or other response to the complaint within  
8 sixty (60) days from the date of this order.
- 9 10. Henceforth, plaintiff shall serve upon defendant(s) or, if an appearance has been  
10 entered by counsel, upon their attorney(s), a copy of every pleading, motion or other  
11 document submitted for consideration by the court. Plaintiff shall include with the  
12 original paper submitted for filing a certificate stating the date that a true and correct  
13 copy of the document was mailed to the defendants or counsel for the defendants. If  
14 counsel has entered a notice of appearance, the plaintiff shall direct service to the  
15 individual attorney named in the notice of appearance, at the address stated therein.  
16 The court may disregard any paper received by a district judge or magistrate judge  
17 which has not been filed with the clerk, and any paper received by a district judge,  
18 magistrate judge, or the clerk which fails to include a certificate showing proper  
19 service.

20 IT IS SO ORDERED.

21 DATED: 4/16/13



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KENT J. DAWSON  
United States District Judge